

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of D.A.A., J.F.A., and P.N.A., Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

DESERA M. ALLEN,

Respondent-Appellant,

and

CHARLES FREDERICK BOLTON,

Respondent.

UNPUBLISHED

January 24, 2003

No. 240648

Wayne Circuit Court

Family Division

LC No. 96-348773

Before: Cooper, P.J., and Bandstra and Talbot, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from the circuit court order terminating her parental rights to the minor children under MCL 712A.19b(3)(c)(i) and (j). We affirm. The case is being decided without oral argument pursuant to MCR 7.214(E).

The circuit court did not clearly err in finding that the statutory grounds for termination were established by clear and convincing evidence. MCR 5.974(I); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). The principal condition that led to adjudication was the physical abuse respondent-appellant committed against her children. The parent-agency agreement was meant to address this issue, and respondent-appellant was required to attend and benefit from individual therapy to specifically address the child abuse, to attend parenting classes, and to visit her children weekly. Although respondent-appellant completed parenting classes, there was no indication that she improved or benefited from them as she was inappropriate and threatening to her children during visits. She never completed the required therapy. When she did meet with her oldest daughter and a therapist, she suggested that the abuse was the children's fault and stated that if the children came home she would again beat them. She failed to take responsibility for the abuse even at the termination trial. Given this evidence, the trial court did not err in finding that the statutory grounds had been established by clear and convincing evidence.

Further, because at least one ground for termination was established, the trial court was required to terminate respondent-appellant's parental rights unless it found that termination was clearly not in the children's best interests. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 364-365; 612 NW2d 407 (2000). Thus, the trial court did not err in terminating respondent-appellant's parental rights to the children.

Affirmed.

/s/ Jessica R. Cooper
/s/ Richard A. Bandstra
/s/ Michael J. Talbot